

News Release
U.S. Department of Justice
United States Attorney
District of Rhode Island



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Timi Wallace is convicted in gun store robbery

Wallace's brother is serving a 15-year sentence for his role in the robbery

A federal jury in Providence has found **Timi* Wallace**, 32, guilty of participating in a September 2000 robbery at D&B Guns on North Main Street in Providence. Federal agents arrested Wallace in New York City in July.

United States Attorney Robert Clark Corrente announced the verdict, which the jury returned today in U.S. District Court after a four-day trial and about six hours of deliberation. Wallace is detained, pending sentencing, which is scheduled for January.

For the first time in a federal trial in Rhode Island, the jury also determined several factors that could affect the length of Wallace's sentence, including the fact that he used a firearm in the robbery and obstructed justice by committing perjury during the trial. The Court sought jury determination of the sentencing issues in light of a decision by the United States Supreme Court in June that threw into doubt aspects of federal sentencing guidelines.

During the trial, Assistant U.S. Attorney Lee H. Vilker presented testimony that, on September 25, 2000, Timi Wallace, along with his brother, Nickoyan Wallace, held up D&B's owner and a clerk at gunpoint and, after ordering the clerk to open a gun case, made off with six handguns – four .45 caliber pistols, a .40 caliber pistol and a .50 caliber pistol.

(*pronounced tim-EYE)

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According to the testimony, Nickoyan Wallace went into D&B guns posing as a customer. Timi Wallace burst in a few moments later and, brandishing a Tech-9 semi-automatic assault firearm, held the owner at gunpoint while Nickoyan took six handguns from a glass cabinet.

Providence Police and ATF agents arrested Nickoyan Wallace on October 5, 2000, in an apartment at 181 Pleasant Street. Agents found five of the six stolen guns hidden behind a shower stall in the apartment. A key piece of evidence was a cell phone that Nickoyan Wallace had left at the scene, in part because a store clerk slid the cell phone off a counter and out of Wallace's sight.

Timi Wallace was not at the apartment, however, and remained a fugitive until he was arrested in the Bronx in July after being placed on the U.S. Marshal's list of 15 most-wanted fugitives.

During the trial, Wallace claimed that he was in Arizona when the robbery was committed. Assistant U.S. Attorney Vilker countered with hotel records and other evidence discounting Wallace's testimony and the jury determined that Wallace's testimony was perjured.

The jury found Wallace guilty of conspiracy to commit armed robbery, armed robbery, stealing guns from a licensed firearms dealer, and using a firearm during a crime of violence. The statutory maximum penalties for the offenses are: conspiracy and armed robbery – 20 years imprisonment; theft of guns from a licensed dealer – ten years imprisonment; using a firearm during a crime of violence – seven years imprisonment, consecutive to other sentences imposed. Each offense also carries a maximum \$250,000 fine. Federal sentencing is determined on the basis of guidelines that rely on such factors as the specific nature of an offense and a defendant's criminal background, if any.

Nickoyan Wallace is serving a 17-year federal prison sentence for his role in the robbery.

Providence Police and the **Bureau of Alcohol, Tobacco, Firearms and Explosives** investigated the gun shop robbery. **ATF** and the **United States Marshals Service** conducted the search for Timi Wallace. Assistant U.S. Attorney Vilker is prosecuting the case against him.

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